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July 30, 2014

**BY ECF**

Hon. George B. Daniels  
United States District Judge  
500 Pearl Street  
New York, New York 10007

RE: Residential Funding Co., LLC v. UBS Real Estate  
Securities, Inc., 14-cv-3039 (GBD)

Dear Judge Daniels:

We write on behalf of Defendant UBS Real Estate Securities Inc. ("UBS RESI") in the above-referenced action. On July 21, 2014, we informed the Court of the recent decision by Judge Hellerstein in *ResCap Liquidating Trust v. RBC Mortgage Company*, No. 1:14-cv-04457(AKH) (S.D.N.Y. July 18, 2014), granting the defendant's motion to withdraw the reference to the Bankruptcy Court of a substantially similar action brought by Plaintiff. *See* ECF No. 15. Plaintiff subsequently filed a motion before Judge Hellerstein to "stay [the] decision to withdraw the reference and reconsider that decision upon the issuance of Bankruptcy Judge Glenn's pending opinion on related issues." Exhibit A at 1. Yesterday, Judge Hellerstein denied the motion, holding that "Judge Glenn's pending decision does not directly affect this case nor would it provide controlling precedent," and thus "[t]he request for a stay so that Plaintiff may decide whether or not to file a motion to reconsider is unwarranted." *Id.*

Respectfully submitted,



Robert A. Fumerton

cc: All counsel (by email)

# EXHIBIT A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RESIDENTIAL FUNDING CO., LLC,

Plaintiff,

- against -

RBC MORTGAGE COMPANY,

Defendant.

The request for a stay is denied. Plaintiff has not made the required showing of "clear hardship or injury in being required to go forward." *Export-Import Bank of U.S. v. H-Films S.A.*, 2010 WL 3743826 (SDNY Sept. 24, 2010). Judge Glenn's pending decision does not directly affect this case nor would it provide controlling precedent. The request for a stay so that plaintiff may decide whether or not to file a motion to reconsider is unwarranted.

**NOTICE OF MOTION REQUESTING A STAY OF THE COURT'S DECISION TO  
WITHDRAW THE REFERENCE AND RECONSIDERATION OF THAT  
DECISION UPON THE ISSUANCE OF BANKRUPTCY  
JUDGE GLENN'S PENDING OPINION ON RELATED ISSUES**

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law, dated July 25, 2014, Plaintiff Residential Funding Company, LLC, respectfully moves this Court, before the Honorable Alvin Hellerstein, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, to stay its decision to withdraw the reference and reconsider that decision upon the issuance of Bankruptcy Judge Glenn's pending opinion on related issues.

USDC SDNY
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Dated: July 25, 2014

QUINN EMANUEL URQUHART  
& SULLIVAN, LLP

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